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EXAMINER

MEUCCI, MICHAEL D

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 02/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/874,126	<b>Applicant(s)</b> CHANG ET AL.	
	<b>Examiner</b> Michael D Meucci	<b>Art Unit</b> 2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 January 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 June 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION*****Drawings***

1. The drawings are objected to because "Servo" appears on Fig. 1 and Fig. 3. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Specification***

2. The abstract of the disclosure is objected to because of improper English, grammar, and punctuation. Correction is required. See MPEP § 608.01(b).

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3. A substitute specification including the claims is required pursuant to 37 CFR 1.125(a) because of numerous instances of improper English, grammar, and punctuation. Examples include: "or being integrates by a system servo" on line 3 of claim 1; all of paragraph [0002] on page 1 of the specification, etc.

a. A substitute specification in proper idiomatic English and in compliance with 37 CFR 1.52(a) and (b) is required. The substitute specification filed must be accompanied by a statement that it contains no new matter.

b. The substitute specification must be submitted with markings showing all the changes relative to the immediate prior version of the specification of record. The text of any added subject matter must be shown by underlining the added text. The text of any deleted matter must be shown by strike-through except that double brackets placed before and after the deleted characters may be used to show deletion of five or fewer consecutive characters. The text of any deleted subject matter must be shown by being placed within double brackets if strike-through cannot be easily perceived. An accompanying clean version (without markings) and a statement that the substitute specification contains no new matter must also be supplied. Numbering the paragraphs of the specification of record is not considered a change that must be shown.

#### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 1-18 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The term "servo" appears throughout the entire application including the claims.

"Servo" is defined by The American Heritage Dictionary of the English Language, Fourth Edition as: 1) a servomechanism (a feedback mechanism that consists of a sensing element, amplifier, and servomotor, used in the automatic control of a mechanical device or a self-regulating feedback system; and 2) a servomotor (a motor that controls the action of the mechanical device in a servomechanism).

The examiner contends that a "servo" (servomechanism or servomotor) is not capable of data transmission and is used improperly throughout the application. Correction of the matter is required. For the purpose of applying art, the examiner presumes the applicant meant to specify --server-- in all occurrences of "servo".

6. Claims 4 and 14 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

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The examiner contends that an application specific integrated circuit (ASIC) cannot be formed within a personal digital assistant. For the purpose of applying art, the examiner presumes that some form of software or hardware is present to provide a one-to-one acknowledge signal for the selection item.

7. Claims 6 and 15 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claims contain subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The "trellis classifying structure" is disclosed in claim 6, "trellis file structure" is disclosed in claim 15, and "trellis classify structure" is disclosed on page 6 of the specification. The application contains no explanation of what the trellis classifying structure, trellis file structure, and trellis classify structure is or how they may be implemented. The Microsoft Computer Dictionary discloses trellis-coded modulation which is defined as an enhanced form of quadrature amplitude modulation that is used by modems that operate at or above 9,600 bps; and encodes information as unique sets of bits associated with changes in both the phase and amplitude of the carrier, as well as using extra signal points for error-checking bits. The examiner would be forced to resort to undue experimentation to determine what a trellis classifying structure, trellis file structure, or trellis classify structure is.

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8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

a. Claim 1 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is unclear to the examiner how the system servo receives and integrates the catalogue data from itself (lines 7-8 of claim 1). Clarification of the matter is required.

b. Claims 1-18 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1-3, 5, 8, 10, 15-18 recite the limitation "customer receiving end." There is insufficient antecedent basis for this limitation in the claim.

c. Claims 5, 15, and 18 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

i. It is believed by the examiner that the applicant meant to disclose --data-- in place of "date" on line 5 of claim 5 and line 4 of claim 15. Correction is required.

ii. It is unclear to the examiner what is meant to be disclosed by "system integration: an stacking work for transmission data being performed" on line 9 of claim 5 and line 7 of claim 15. Clarification of the matter is required.

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d. Claims 6-7 and 9 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

i. Claim 6 recites the limitation "the step of data arrangement" in line 2. There is insufficient antecedent basis for this limitation in the claim.

ii. Claim 6 recites the limitation "the system construction" in lines 3-4. There is insufficient antecedent basis for this limitation in the claim.

iii. Claim 7 recites the limitation "the step of system integration" in line 2. There is insufficient antecedent basis for this limitation in the claim.

iv. Claim 9 recites the limitations "the acknowledge step", "the transmission of order data", and "the verification step" in line 2. There is insufficient antecedent basis for these limitations in the claim.

e. Claims 6 and 15 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. A "trellis classifying structure" as disclosed on line 3 of claim 6 and a "trellis file structure" as disclosed on line 6 of claim 15 are not defined by the specification.

f. Claims 8, 16, and 18 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Examiner



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believes applicant meant to specify --by a personal digital assistant-- (as disclosed on page 6 of the specification) in place of "to a personal digital assistant" on line 13 of claims 8 and 18 and line 12 of claim 16. Correction is required.

***Claim Rejections - 35 USC § 102***

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

10. Claims 1, 3, 5, 7-8, and 10 rejected under 35 U.S.C. 102(b) as being anticipated by Blinn et al. (U.S. 5,897,622) hereinafter referred to as Blinn.

a. As per claim 1, Blinn teaches: A data active on-demand-transmission system, a personal digital assistant receiving required catalogue data, the catalogue data being provided by a data servo; or being integrates by a system servo, then data is transferred by a proper transmission interface; the data catalogue being received and displayed by a personal digital assistant at the customer receiving end; characteristic in that: the system servo receives and integrates the catalogue data from the system servo (lines 26-44 of column 6); then the transmission interface transfers catalogue data to the customer receiving end (lines 52-56 of column 6 and lines 48-55 of column 10); the customer receiving end receiving the catalogue data actively transferred from the

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transmission interface (lines 52-56 of column 6 and lines 48-55 of column 10); after the catalogue is selected and assured by the customer, then the selection is transferred back to the system servo from the personal digital assistant (PDA – lines 19-20 of column 6) to inform the system servo to analysis and process the signal, further, processed data is transferred to the data servo (line 25 of column 13 through line 14 of column 14 and Fig. 5).

b. As per claim 3, Blinn teaches: the personal digital assistant of the customer receiving end is connected to an input/output port of a network through a cable, the data is transferred through communication module of Internet (lines 49-63 of column 5).

c. As per claim 5, Blinn teaches: data input: the data servo outputting catalogue data, and the system servo serving to input data (lines 52-56 of column 6); data arrangement: the catalogue data being put in order and classified for expanding the catalogue contents of the data catalogue (lines 53-67 of column 7); system integration: an stacking work for transmission data being performed and then the data being transferred to the transmission interface; transmission: the data being transferred through a transmission channel; and a customer receiving the data (lines 26-46 of column 6).

d. As per claim 7, Blinn teaches: a communication system serves to perform a transmission operation end (lines 52-56 of column 6 and lines 48-55 of column 10);

e. As per claim 8, Blinn teaches: displaying product catalogue: the display screen of the personal digital assistant of the customer receiving end

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displays the data catalogue processed by the system servo (lines 36-46 of column 6); order selection: a selection operation being performed through a selection way provided by the personal digital assistant; if the selection work being not be preformed, the system servo actively transfers data catalogue by a proper transmission interface (lines 47-60 of column 6); transmission of ordering data: after the customer accomplishes the selection operation for ordering, then the signal being outputted to a personal digital assistant (line 52 of column 6 through line 4 of column 7); verification operation: the system servo verifies the transferred order data, if the data is wrong, then the order selection operation being performed again, and order verification: assure that the order being correct, and the overall operation being complete (line 53 of column 8 through line 4 of column 10).

f. As per claim 10, Blinn teaches: a wireless personal digital assistant serving to receive a data catalogue from the system servo; the data catalogue being displayed by the wireless personal digital assistant; then a selection operation being performed, and a correspondent signal being transferred back to the system servo; characteristic in that: transmission of the data catalogue from the system servo is actively transferred through a transmission interface; a selection operation is performed in the customer receiving end; and then an operation correspondent to the selection is performed, (line 26 of column 6 through line 41 of column 7).

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11. Claim 11 rejected under 35 U.S.C. 102(b) as being anticipated by Blinn as applied to claim 10 above.

a. As per claim 11, Blinn teaches: the data catalogue of the system servo is provided by a system servo, the system servo performs a required data processing (line 26 of column 6 through line 41 of column 7).

12. Claim 18 rejected under 35 U.S.C. 102(b) as being anticipated by Blinn as applied to claim 5 above.

a. As per claim 18, Blinn teaches: displaying product catalogue: the display screen of the personal digital assistant of the customer receiving end displays the data catalogue processed by the system servo (lines 36-46 of column 6); order selection: a selection operation being performed through a selection way provided by the personal digital assistant; if the selection work being not be preformed, the system servo actively transfers data catalogue by a proper transmission interface (lines 47-60 of column 6); transmission of ordering data: after the customer accomplishes the selection operation for ordering, then the signal being outputted to a personal digital assistant (line 52 of column 6 through line 4 of column 7); verification operation: the system servo verifies the transferred order data, if the data is wrong, then the order selection operation being performed again, and order verification: assure that the order being correct, and the overall operation being complete (line 53 of column 8 through line 4 of column 10).

***Claim Rejections - 35 USC § 103***

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 2, 12, and 17 rejected under 35 U.S.C. 103(a) as being unpatentable over Blinn as applied to claims 1, 10, and 2 respectively above, in view of Robinson et al. (U.S. 5,941,648) hereinafter referred to as Robinson.

a. As per claims 2 and 12, Blinn fails to teach: the personal digital assistant includes: a display screen displaying data catalogue a direction selection unit having a left key, a right key, an up key, and a down key for controlling a movement of a cursor; an input key for selection of items; a sensor pen; by directly touching the items on the display screen a respective operation is performed. However, Robinson discloses: "The front surface 4 comprises a touch sensitive screen 14 for inputting and displaying stored data. The front surface may have any number of control buttons 16 for controlling the display as well as variable contrast controller 17. Data may also be entered into storage by touching the screen with a pen or stylus 18 which may conveniently be stored in an opening in the right side of the housing," (lines 41-47 of column 3 and Fig. 1).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have the personal digital assistant include: a display screen displaying data catalogue a direction selection unit having a left key, a

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right key, an up key, and a down key for controlling a movement of a cursor; an input key for selection of items; a sensor pen; by directly touching the items on the display screen a respective operation is performed. Blinn discloses a PDA (lines 19-20 of column 6) as an alternate embodiment of a client, which would motivate one of ordinary skill in the art at the time of the applicant's invention to include the PDA as disclosed by Robinson including the features of a touch-sensitive screen for displaying and inputting, directional buttons for movement of a cursor, an input key for selection of items, and a sensor pen for touching items on the display screen to perform a respective operation. It is for this reason that one of ordinary skill in the art at the time of the applicant's invention would have been motivated to have the personal digital assistant include: a display screen displaying data catalogue a direction selection unit having a left key, a right key, an up key, and a down key for controlling a movement of a cursor; an input key for selection of items; a sensor pen; by directly touching the items on the display screen a respective operation is performed in the system as taught by Blinn.

b. As per claim 17, Blinn teaches: the personal digital assistant of the customer receiving end is connected to an input/output port of a network through a cable, the data is transferred through communication module of Internet (lines 49-63 of column 5).

15. Claim 4 rejected under 35 U.S.C. 103(a) as being unpatentable over Blinn as applied to claim 1 above, in view of Costello et al. (U.S. 6,754,894 B1) hereinafter referred to as Costello.

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a. As per claim 4, Blinn fails to teach: an application specific integrated circuit (ASIC) is formed within the personal digital assistant; this application specific integrated circuit provides an one-to-one acknowledge signal for the selection item. However, Costello discloses: "The operating software in some portable electronic devices, such as personal digital assistants, can be modified by downloading new software over the one-to-one link that is subsequently stored and executed by such devices. This modification capability significantly extends the device's utility because new software can enable the device to offer features and services not originally available when the device was manufactured. However, the updating typically requires the use of acknowledged transfers (handshaking) of fixed-size blocks of data," (lines 47-56 of column 1).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have an application specific integrated circuit (ASIC) formed within the personal digital assistant; this application specific integrated circuit provides an one-to-one acknowledge signal for the selection item.

"Without such acknowledged transfers, correct software upgrades cannot be guaranteed. Furthermore, in information delivery systems in which many mobile units are in use, software upgrades for many devices are delayed, or do not occur, because users do not modify the software in a timely fashion. What is required is a more reliable method of updating software in mobile electronic devices," (lines 56-63 of column 1 in Costello). It is for this reason that one of ordinary skill in the art at the time of the applicant's invention would have been motivated to have an application specific integrated circuit (ASIC) formed within

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the personal digital assistant; this application specific integrated circuit provides an one-to-one acknowledge signal for the selection item in the system as taught by Blinn.

16. Claims 6 and 15 rejected under 35 U.S.C. 103(a) as being unpatentable over Blinn as applied to claim 1 above, in view of Chebil et al. (U.S. 6,760,481 B1) hereinafter referred to as Chebil.

a. As per claim 6, Blinn teaches: the system servo classifying the catalogue; and the system construction being arranged in order (line 18 of column 10 through line 6 of column 12). Blinn fails to teach: trellis classifying structure. However, Chebil discloses: "It is also prior known to use a so-called Wavelet Trellis Coded Quantization. This algorithm consists of four phases: A wavelet transform of the image data, a classification and bit allocation of the bands of the transformed data, the classification being obtained by computing statistics of the data. Based on the classifications, quantization of the transform coefficients is performed in trellis fashion," (lines 21-27 of column 2).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to use a trellis file structure to classify the data. "Trellis quantization is adopted from a technique known as trellis modulation which enables use of twice the number of quantization levels allowed at a certain bit rate with constraints on the transitions between the levels," (lines 27-31 of column 2 in Chebil). It is for this reason that one of ordinary skill in the art at the



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time of the applicant's invention would have been motivated to use a trellis file structure to classify the data in the system as taught by Blinn.

b. As per claim 15, Blinn teaches: data input: the data servo outputting catalogue data, and the system servo serving to input data (lines 52-56 of column 6); data arrangement: the catalogue data being put in order and classified for expanding the catalogue contents of the data catalogue (lines 53-67 of column 7); system integration: an stacking work for transmission data being performed and then the data being transferred to the transmission interface; transmission: the data being transferred through a transmission channel; and a customer receiving the data (lines 26-46 of column 6).

Blinn fails to teach a trellis file structure being used to classify the data. However, Chebil discloses: "It is also prior known to use a so-called Wavelet Trellis Coded Quantization. This algorithm consists of four phases: A wavelet transform of the image data, a classification and bit allocation of the bands of the transformed data, the classification being obtained by computing statistics of the data. Based on the classifications, quantization of the transform coefficients is performed in trellis fashion," (lines 21-27 of column 2).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to use a trellis file structure to classify the data. "Trellis quantization is adopted from a technique known as trellis modulation which enables use of twice the number of quantization levels allowed at a certain bit rate with constraints on the transitions between the levels," (lines 27-31 of column 2 in Chebil). It is for this reason that one of ordinary skill in the art at the

time of the applicant's invention would have been motivated to use a trellis file structure to classify the data in the system as taught by Blinn.

17. Claim 9 rejected under 35 U.S.C. 103(a) as being unpatentable over Blinn as applied to claim 8 above, in view of Lowell et al. (U.S. 6,282,265 B1) hereinafter referred to as Lowell.

Blinn fails to teach: for the transmission of order data, a series number contained in an application specific integrated circuit within the personal digital assistant is used as an verification signal for the verification step. However, Lowell discloses: "Before describing in detail the new and improved two-ended line pair identification system in accordance with the present invention, it should be observed that the invention resides primarily in what are effectively modular arrangements of conventional communication circuits and associated digital signal processing components and attendant supervisory control circuitry therefor, that controls the operations of such circuits and components. In a practical implementation that facilitates their incorporation into printed circuit cards of telecommunication test equipment, these modular arrangements may be readily configured as field programmable gate array (FPGA)-implementations, application specific integrated circuit (ASIC) chip sets, programmable digital signal processors, or general purpose processors," (lines 2-16 of column 3).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have, for the transmission of order data, a series number contained in an application specific integrated circuit within the personal

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digital assistant is used as an verification signal for the verification step. "The (local and remote) ends of the cable distribution system may be terminated in a customary manner by multi-terminal frames, that are configured to be mechanically and electrically interfaced by connector components that allow selective bridging onto any of the tip/ring pairs of the cable plant by various test equipments, such as personal digital assistant (PDA) configured test units, that allow direct interactive control by telecommunication service personnel operating such units or remote control by an associated supervisory communication link. As a non-limiting example, such test equipment may comprise an RVU (records verification unit) manufactured by Harris Corporation," (lines 41-53 of column 3 in Lowell). It is for this reason that one of ordinary skill in the art at the time of the applicant's invention would have been motivated to have, for the transmission of order data, a series number contained in an application specific integrated circuit within the personal digital assistant is used as an verification signal for the verification step in the system as taught by Blinn.

18. Claims 13-14 rejected under 35 U.S.C. 103(a) as being unpatentable over Blinn and Robinson as applied to claim 12 above, in view of Costello.

a. As per claim 13, Blinn fails to teach: the personal digital assistant selects an object by the sensing pen to move on the display screen. However, Robinson discloses: "The front surface 4 comprises a touch sensitive screen 14 for inputting and displaying stored data. The front surface may have any number of control buttons 16 for controlling the display as well as variable contrast

controller 17. Data may also be entered into storage by touching the screen with a pen or stylus 18 which may conveniently be stored in an opening in the right side of the housing," (lines 41-47 of column 3 and Fig. 1).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have the personal digital assistant a sensing pen to select and object by directly touching the items on the display screen. Blinn discloses a PDA (lines 19-20 of column 6) as an alternate embodiment of a client, which would motivate one of ordinary skill in the art at the time of the applicant's invention to include the PDA as disclosed by Robinson including the features of a touch-sensitive screen for displaying and inputting, directional buttons for movement of a cursor, an input key for selection of items, and a sensor pen for touching items on the display screen to perform a respective operation. It is for this reason that one of ordinary skill in the art at the time of the applicant's invention would have been motivated to have the personal digital assistant include: a display screen displaying data catalogue a direction selection unit having a left key, a right key, an up key, and a down key for controlling a movement of a cursor; an input key for selection of items; a sensor pen; by directly touching the items on the display screen a respective operation is performed in the system as taught by Blinn.

b. As per claim 14, Blinn fails to teach: an application specific integrated circuit (ASIC) is formed within the personal digital assistant; this application specific integrated circuit provides an one-to-one acknowledge signal for the selection item. However, Costello discloses: "The operating software in

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some portable electronic devices, such as personal digital assistants, can be modified by downloading new software over the one-to-one link that is subsequently stored and executed by such devices. This modification capability significantly extends the device's utility because new software can enable the device to offer features and services not originally available when the device was manufactured. However, the updating typically requires the use of acknowledged transfers (handshaking) of fixed-size blocks of data," (lines 47-56 of column 1).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have an application specific integrated circuit (ASIC) formed within the personal digital assistant; this application specific integrated circuit provides an one-to-one acknowledge signal for the selection item.

"Without such acknowledged transfers, correct software upgrades cannot be guaranteed. Furthermore, in information delivery systems in which many mobile units are in use, software upgrades for many devices are delayed, or do not occur, because users do not modify the software in a timely fashion. What is required is a more reliable method of updating software in mobile electronic devices," (lines 56-63 of column 1 in Costello). It is for this reason that one of ordinary skill in the art at the time of the applicant's invention would have been motivated to have an application specific integrated circuit (ASIC) formed within the personal digital assistant; this application specific integrated circuit provides an one-to-one acknowledge signal for the selection item in the system as taught by Blinn and Robinson.

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19. Claim 16 rejected under 35 U.S.C. 103(a) as being unpatentable over Blinn as applied to claim 1 above, in view of Gaus et al. (U.S. 6,343,277 B1) hereinafter referred to as Gaus.

Blinn teaches: displaying product catalogue: the display screen of the personal digital assistant of the customer receiving end displays the data catalogue processed by the system servo (lines 36-46 of column 6); order selection: a selection operation being performed through a selection way provided by the personal digital assistant; if the selection work being not be preformed, the system servo actively transfers data catalogue by a proper transmission interface (lines 47-60 of column 6); transmission of ordering data: after the customer accomplishes the selection operation for ordering, then the signal being outputted to a personal digital assistant (line 52 of column 6 through line 4 of column 7); verification operation: the system servo verifies the transferred order data, if the data is wrong, then the order selection operation being performed again, and order verification: assure that the order being correct, and the overall operation being complete (line 53 of column 8 through line 4 of column 10).

Blinn fails to teach: an application specific integrated circuit being installed in an application specific integrated circuit in the personal digital assistant', and the application specific integrated circuit serving to couple signals as the customer selection is outputted. However, Gaus discloses: "Users 76, 78, and 80 can access the host network 32 via the Internet through Internet service providers 82, 84, and 86. The users 76, 78, and 80 may access the network 32

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using any type of computer suitable such as, for example, an IBM compatible PC, an Apple Macintosh, a workstation, a personal decision aid (PDA), or an application specific integrated circuit (ASIC)," (lines 36-42 of column 6).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have an application specific integrated circuit installed in an application specific integrated circuit in the personal digital assistant; and the application specific integrated circuit serving to couple signals as the customer selection is outputted. "The users 76, 78, and 80 are connected to the internet service providers 82, 84, and 86 via communication links 88, 90, and 92 which can be any type of communication link suitable such as, for example, conventional telephone lines. The users 76, 78, and 80 may be any party that is authorized to access the network 32 such as a client, an agent, a buyer, or a supplier," (lines 42-48 of column 6 in Gaus). It is for this reason that one of ordinary skill in the art at the time of the applicant's invention would have been motivated to have an application specific integrated circuit installed in an application specific integrated circuit in the personal digital assistant; and the application specific integrated circuit serving to couple signals as the customer selection is outputted in the system as taught by Blinn.

### ***Conclusion***

20. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Nerlikar (U.S. 5,629,981) discloses information management and security system.

LaPorta et al. (U.S. 5,918,158) discloses two-way wireless messaging system.

Perkowski (U.S. 5,950,173) discloses system for delivering consumer product related information to consumers within the store using internet-based information servers.

Blinn et al. (U.S. 5,999,914) discloses electronic promotion system for an electronic merchant system.

Jekal (U.S. 6,035,428) discloses trellis decoder.

Blinn et al. (U.S. 6,058,373) discloses system for processing electronic order forms.

Turnbull et al. (U.S. 6,092,201) discloses method for extending secure communication operations via a shared list.

Peckover (U.S. 6,119,101) discloses intelligent agents for electronic commerce.

Shkedy (U.S. 6,236,972 B1) discloses method for facilitating transactions on a commercial network system.

Flanagan et al. (U.S. 6,243,737, B1) discloses method for providing direct transaction access to information residing on a host system.

Walker et al. (U.S. 6,327,573 B1) discloses multiple party reward system utilizing single account.



Esposito et al. (U.S. 6,341,270 B1) discloses method for providing vendor notification marking in an electronic commerce network environment.

Gronemeyer et al. (U.S. 6,363,359 B1) discloses inventory determination for facilitating commercial transactions.

Park (U.S. 6,374,245 B1) discloses server system communicating with personal digital assistant.

Vijayan et al. (U.S. 6,535,888 B1) discloses method for providing visual search directory.

Rothschild (U.S. 6,651,053 B1) discloses interactive system for investigating products on a network.

Ouchi (U.S. 6,687,557 B2) discloses consolidated component catalog.

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Meucci at (571) 272-3892. The examiner can normally be reached on Monday-Friday from 9:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey, can be reached at (571) 272-3896. The fax phone number for this Group is (703) 872-9306.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [michael.meucci@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications

*Jack Hays*  
 SPECIAL INVESTIGATOR EXAMINER